Crl. Rev. No. 374/01
(Old No. 198 of 1996)
Hon'ble Irshad Hussain, J.

None appear for the revisionist. Heard Sri H.C.Pandey learned A.G.A. and perused the record.

This is a revision under section 397/401 of the Code of Criminal Procedure (for short 'Code') was preferred by the informant against the judgment and order dated 13.11.1995 passed in sessions trial no. 221/1993 whereby the accused-respondent no.1 was acquitted of the charge.

Having gone through the impugned judgment with the help of learned A.G.A., it is evident that there was no direct evidence against the accused and the case merely based on the alleged extra judicial confession of the accused made before witness Satish Chand (PW-9) on 28.6.1992. The evidence of this witness was not found reliable because he was not a man of confidence and was not having a special status in the society. There was not other corroborative peace of evidence therefore the learned Sessions Judge was of the view that the circumstantial evidence was not sufficient to bring home guilt to the accused. The judgment of acquittal is based on proper and fair appraisal of the evidence and there being no merit in this case. Therefore, the petition is dismissed. Consign.

(Irshad Hussain, J.)

Dated: 12.04.2004
Rawat